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TO SECSTATE WASHDC 5477
UNCLAS GEORGETOWN 2528
E.O. 11652: N/A
TAGS: CASC, GY, (STOEN, JOHN)
SUBJECT: W/W: CUSTODY CASE OF JOHN STOEN
REF: GEORGETOWN 2435

1. BOTH ATTORNEYS INFORMED CONSUL THAT JUDGE ON OCTOBER 6 RULED AGAINST MOTION SUBMITTED BY GRACE STOEN'S LOCAL ATTORNEY, CLARENCE HUGHES, THAT JOHN STOEN BE BROUGHT BEFORE COURT AND JIM JONES BE ORDERED TO APPEAR FORTHWITH.

2. LIONEL LUCKHOO, JONES' LOCAL ATTORNEY, STATED JUDGE RULED IN HIS CLIENT'S FAVOR IN CANCELLING ALL PREVIOUS ORDERS BY THE COURT BECAUSE HE (LUCKHOO) WAS ABLE TO PRESENT A VALID UNREVOKED CUSTODY ORDER SIGNED BY GRACE STOEN GIVING CUSTODY OF JOHN STOEN TO A MS. JOYCE TOUCHETTE. LUCKHOO EXPLAINED THAT BY PRESENTING THIS DOCUMENT HE WAS ABLE TO SHOW THE COURT THAT THE ORIGINAL COURT ORDER ISSUED IN CALIFORNIA AND SUBSEQUENT ORDERS EMANATING FROM PREVIOUS HEARINGS IN GUYANA SHOULD BE SET ASIDE BECAUSE MRS. STOEN HAD NOT MADE FULL DISCLOSURE OF ALL PERTINENT FACTS. LUCKHOO CLAIMED HE USED ARGUMENT THAT SUCH PRECEDENCE WAS ESTABLISHED IN U.S. AND CANADIAN COURTS WHEN A COURT MUST BE IN FULL POSSESSION OF ALL THE FACTS BEFORE A WRIT OF HABEAS CORPUS CAN BE ISSUED BY THE COURT.

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY _____ DATE _____
RDS☐ or XDS☐ EXT. DATE
TS AUTH. _____ REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☐ RELEASABLE☐
RELEASE DENIED☐
PA or FOI EXEMPTIONS

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3. LUCKHOO CONFIDED TO CONSUL THAT HE CANNOT UNDERSTAND HOW MRS. STOEN'S U.S. ATTORNEY, JEFFREY HAAS COULD HAVE EXPECTED TO GAIN CUSTODY OF JOHN STOEN IN GUYANA. LUCKHOO MAINTAINED THAT BOTH MR. AND MRS. STOEN SIGNED THE CUSTODY ORDER TURNING OVER JOHN STOEN TO JOYCE TOUCHETTE AND THAT MRS. STOEN HAD APPARENTLY BROUGHT HER SON TO GUYANA AND AT ONE TIME APPLIED FOR IMMIGRANT STATUS HERE. SHE THEN LEFT HER SON IN MS. TOUCHETTE'S CUSTODY AND DEPARTED. FURTHERMONE, LUCKHOO BELIEVES MR. STOEN WOULD ALSO HAVE TO REVOKE THE CUSTODY ORDER FOR IT TO BE DEEMED NULL AND VOID BY THE COURT.

4. CLARENCE HUGHES, IN A SEPARATE CONVERSATION, GLUMLY CONFIRMED THE ABOVE. HE INDICATED THIS MATTER COULD TAKE A LONG TIME TO RESOLVE. HE INFORMED CONSUL THAT THE NEXT HEARING IS SCHEDULED FOR NOVEMBER

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18 WEEN MRS. STOEN WILL HAVE AN OPPORTUNITY TO PRESENT ADDITIONAL AFFADIVITS TO SUPPORT HER CASE. HU HES HAS INFORMED JEFFREY HAAS OF THE COURS'S DECISION.
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